

TITLE 21 AGRICULTURE AND RANCHING
CHAPTER 25 AGRICULTURAL MARKETING, PROCESSING AND INSPECTION
PART 5 LICENSE FEES AND BONDS FOR PRODUCE BROKERS, DEALERS, AND PACKERS

21.25.5.1 ISSUING AGENCY: New Mexico Department of Agriculture
 [9/15/97; 21.25.5.1 NMAC - Rn & A, 21 NMAC 25.5.1, 05/29/09]
 [MSC 3189, Box 30005, Las Cruces, New Mexico 88003-8005, Telephone No. (575) 646-3007]

21.25.5.2 SCOPE: This rule establishes license fees and bonds for produce brokers, dealers and packers doing business in New Mexico.
 [9/15/97; 21.25.5.2 NMAC - Rn, 21 NMAC 25.5.2, 05/29/09]

21.25.5.3 STATUTORY AUTHORITY: Granted to the board of regents of New Mexico state university and the New Mexico department of agriculture under the New Mexico Produce Marketing Act, Chapter 76, Article 15, Sections 10 through 22 NMSA 1978.
 [9/15/97; 21.25.5.3 NMAC - Rn, 21 NMAC 25.5.3, 05/29/09]

21.25.5.4 DURATION: Permanent
 [9/15/97; 21.25.5.4 NMAC - Rn, 21 NMAC 25.5.4, 05/29/09]

21.25.5.5 EFFECTIVE DATE: September 15, 1997
 [9/15/97; 21.25.5.5 NMAC - Rn, 21 NMAC 25.5.5, 05/29/09]

21.25.5.6 OBJECTIVE: To establish yearly license fees and bond requirements for produce brokers, dealers and packers.
 [9/15/97; 21.25.5.6 NMAC - Rn, 21 NMAC 25.5.6, 05/29/09]

21.25.5.7 DEFINITIONS:

- A. "Produce" means the food produced from any vine, tree or plant which produces fruits or vegetables for human consumption.
- B. "Broker" means a commission merchant or any other person engaged in the business of receiving any produce for sale, on commission, for or on behalf of another.
- C. "Packer" means any person engaged in the business of grading, packing, cooling or storing of any produce other than his own production.
- D. "Dealer" means any person engaged in the business of buying any produce from the grower for processing or resale.
- E. "Person" means individuals, partnerships, corporations and grower cooperative associations or any other legal entities.
- F. "Grower" means any person engaged in the growing of any produce crop.

[9/15/97; 21.25.5.7 NMAC - Rn, 21 NMAC 25.5.7, 05/29/09]

21.25.5.8 LICENSE FEES AND BONDS:

- A. Broker
 - (1) license fee: \$50/year
 - (2) bond: \$10,000
- B. Dealer
 - (1) license fee: \$50/year
 - (2) bond: \$10,000
- C. Packer
 - (1) license fee: \$25/year
 - (2) bond: \$5,000

[9/15/97; 21.25.5.8 NMAC - Rn, 21 NMAC 25.5.8, 05/29/09]

HISTORY OF 21.25.5 NMAC:
 Pre-NMAC History: The material in this part was derived from that previously filed with the State Records Center and Archives under:
 NMDA Rule No. 90-1, License Fees and Bonds for Produce Brokers, Dealers, and Packers, filed 2/20/90.

History of Repealed Material: [RESERVED]